

## B. Claims

Please cancel claims 1-6 and 16-37 without prejudice or disclaimer and amend claims 7 and 13 as follows. A complete listing of all the claims appears below; this listing replaces all earlier amendments and listings of the claims.

1. - 6. (Cancelled)

7. (Currently Amended) A method ~~according to claim 4, of manufacturing a~~ diffraction optical element by transferring a mask pattern to a workpiece comprising the steps of:

defining a shape of a vertical portion of the diffraction optical element by use of a first mask; and

defining a shape of a slant portion of the diffraction optical element by transferring a shape of a surface of a second mask in a processing region determined by the first mask,

wherein the surface of the second mask is tilted obliquely,

wherein the shape of the slant portion of the diffraction optical element is determined by the transferred shape of the surface of the second mask,

wherein the first mask is made of first and second materials,

wherein, after a first processing region determined by the first material is processed, the first processing region is covered by the second material and, subsequently, the first material is removed, and

wherein while using a portion from which the first material has been removed as a second processing region, the first processing region determined by the first material is replaced by the second material to cause a processing region inversion.

8. (Original) A method according to claim 7, wherein each of the first and second materials consists of at least one of metal, oxide and nitride.

9. (Original) A method according to claim 8, wherein one of the first and second materials comprises a chromium oxide film, and the other comprises an aluminum film.

10. (Original) A method according to claim 8, wherein one of the first and second materials comprises a dual-layer film having a chromium oxide film and a chromium film, and wherein the other material comprises an aluminum film.

11. (Previously Presented) A method according to claim 9, wherein said first and second materials comprise silicon nitride.

12. (Previously Presented) A method according to claim 7, wherein the inversion of processing region is based on one of etch-back method, lift-off method, damascene method, and selective deposition method.

13. (Currently Amended) A method according to claim 4 7, wherein the first mask is made of first and second materials, wherein the first material comprises a light blocking material and the second material comprises a negative resist, wherein light is transmitted through the workpiece made of a light transmitting material, from behind thereof, thereby to cause reaction of the negative resist, wherein a processing region determined by the first material is covered by a negative resist and, thereafter, hard baking is carried out, and wherein the first material is removed to cause inversion of processing region.

14. (Original) A method according to claim 13, wherein the first material of the first mask comprises a metal film.

15. (Original) A method according to claim 14, wherein the metal film is one of a chromium film and an aluminum film.

16. - 37. (Cancelled)